

SHAYNE
LAW GROUP, P.C.

WILLIAM C. SHAYNE, ESQ.

WSHAYNE@SHAYNELAWGROUP.COM

May 5, 2020

Via ECF

Hon. Vernon S. Broderick
United States District Court
Southern District of New York
500 Pearl St.
New York, NY 10007

Re: Ameriway Corp. v. May Yan Chen and Ability Customs Inc.
Case # 19-cv-09407 (VSB) (DCF)
Withdrawal of Motion to Dismiss

Dear Judge Broderick:

This office represents the defendants, May Yan Chen and Ability Customs Inc. in the above referred case.

As this Court may recall, on April 15, 2020 we advised the Court that Defendants' motion to dismiss the Plaintiff's case for lack of standing was being withdrawn and instead Defendants were going to institute a third-party action against Plaintiff's affiliated company, Eagle Trading USA, LLC for failure to pay Defendant in excess of \$300,000 of fees and unreimbursed customs duties advanced by Defendant.

The Court may further recall that on April 19, 2020 Plaintiff advised the Court that its cross-motion for sanctions was not being withdrawn.

Further, the Court may recall that, with the Court's permission, Plaintiff filed a Second Amended Complaint.

After consultation between counsel for Plaintiff and Defendant, subject to the Court's approval, opposition to Plaintiff's motion for sanctions shall be filed on or before May 22, 2020 and Plaintiff shall have the right to file a reply on or before June 12, 2020, at which time the motion will be submitted to the Court for a decision. Further, again subject to the Court's approval, the parties have agreed that the time in which Defendant shall file an answer to the Second Amended Complaint shall be extended to May 22, 2020.

If the foregoing is acceptable to the Court, it is respectfully requested that the Court order the foregoing briefing schedule and extension of time in which Defendant must file its answer to the Second Amended Complaint.

Thanking the Court, in advance, for your consideration.

Very truly yours,

William Shayne (electronic signature)

Shayne Law Group, P.C.
64 Fulton St, Suite 1000
New York, NY, 10038
Tel: 212-566-4949
Fax: 212-202-5423
wshayne@shaynelawgroup.com

TO: Stratum Law LLC
150 Monument Road, Suite 207
Bala Cynwyd, PA 19004
Attn: Xiyan Zhang, Esq.
xzhang@stratumlaw.com